

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EUGENE THOMAS,

Plaintiff,

-against-

DEUTSCHE BANK NATIONAL TRUST
COMPANY,

Defendant.

20-CV-6305 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff, appearing *pro se*, brings this action against Defendant for breach of contract, quiet title, and “slander of title.” (ECF No. 1, at 1.) He seeks injunctive and declaratory relief. For the following reasons, the complaint is dismissed.

Plaintiff filed a substantially similar complaint in the United States District Court for the Eastern District of New York. On August 3, 2020, the Eastern District transferred that action to this Court and it is pending under case number 20-CV-6024. (*See* ECF No. 6.) Because this complaint raises the same claims against the same defendant, no useful purpose would be served by the further litigation of this duplicate lawsuit. Therefore, this action is dismissed without prejudice to Plaintiff’s pending action under case number 20-CV-6024.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. Plaintiff’s complaint is dismissed without prejudice as duplicative. All other pending matters are terminated.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: August 19, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge